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### IN THE CLAIMS

The following listing of the claims is provided in accordance with 37 C.F.R.

1.121:

1. (Currently Amended) A burner assembly comprising:  
a burner grate comprising a plurality of humps, integrally formed in a glass ceramic cooktop, and distributed around an opening in the cooktop; and  
a burner, positioned in the opening, and comprising a plurality of burner ports, to provide a flame, wherein the burner is configured to restrict flame formation out of the burner in selected areas of the burner as a function of non-symmetrical spacing between the burner ports ~~a pattern of the burner ports selected to restrict flame formation in a region proximate the burner grate, so that flames from the respective burner ports do not impinge upon the burner grate.~~
2. (Currently Amended) The burner assembly of claim 1, wherein spacing between a first set of the burner ports and a second set of the burner ports is not equal ~~the pattern of the burner ports selected to avoid flame formation in the region proximate the burner grate.~~
3. (Canceled)
4. (Currently amended) The burner assembly of claim 1, wherein a burner ports are spaced apart such that flame formation out of the burner ports is not positioned proximate the burner grate is configured to directed toward a flame away from the burner grate.
5. (Currently Amended) The burner assembly of claim 14, wherein a subset of the burner ports positioned proximate the burner grate is disposed are arranged at an

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angle with respect to a radial direction so that flame formation at least out an outlet of the subset of burner ports is directed away from ~~positioned proximate a region unobstructed by the burner grate.~~

6. (Currently Amended) The burner assembly of claim 54, wherein the burner ports arranged at an angle comprise a single inlet end and a ~~positioned proximate the burner grate is bifurcated at an outlet end, such so that flames exiting at respective outlets at the outlet end are directed positioned proximate a region unobstructed by a~~ away from the burner grate.

7. (Canceled)

8. (Original) The burner assembly of claim 1, in combination with a cooking appliance.

9. (Canceled)

10. (Currently Amended) A burner assembly comprising:  
a burner grate comprising a plurality of humps, integrally formed in a glass ceramic cooktop, and distributed around an opening in the cooktop; and  
a burner, positioned in the opening, and comprising a plurality of flame-free portions between burner ports, wherein at least some of the flame-free portions are positioned selected to coincide with the burner grate proximate the burner, to cause thereby avoiding interference between the burner grate and flames produced by the burner to be directed away from the a burner grate.

11. (Canceled)

12. (New) A system comprising:

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a burner grate; and

a burner comprising a first plurality of burner ports configured to provide a first unrestricted flame flow out of the burner, and a second plurality of burner ports configured to provide a second restricted flame flow out of the burner based at least in part upon positioning of the burner with respect to the burner grate.

13. (New) The system of claim 12, wherein the burner grate comprises a plurality of humps integrally formed in a glass ceramic cooktop and distributed around an opening in the cooktop adapted to accept the burner.

14. (New) The system of claim 13, wherein the second plurality of burner ports are positioned in the burner at locations selected to correspond with the burner grate when the burner is positioned in the burner assembly.

15. (New) The system of claim 13, wherein the second restricted flame flow is restricted due to an outlet port size of the second plurality of burner ports in relation to an outlet port size of the first plurality of burner ports.

16. (New) The system of claim 13, wherein the second plurality of burner ports are positioned in the burner at an orientation designed to direct flame away from the burner grate when the burner is positioned in the burner assembly.

17. (New) The system of claim 16, wherein the second plurality of burner ports are oriented to direct the second flame flow at an angle with respect to a radial direction out of the burner.

18. (New) The system of claim 12, wherein the second plurality of burner ports are configured to restrict flame formation out of the burner in at least one area above the burner.

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19. (New) The system of claim 12, wherein the second plurality of burner ports are configured to restrict flame formation out of the burner in at least one area beside the burner.

20. (New) A burner comprising a first plurality of burner ports configured to provide a first unrestricted flame flow out of the burner, and a second plurality of burner ports configured to provide a second modified flame flow out of the burner, wherein the second plurality of burner ports are arranged in a radial pattern such that flame formation out of the second plurality of burner ports is restricted or directed away from a complementary burner grate.